

Express Mail Label No. EV 015940852 US
Date of Deposit: January 14, 2002

Halocarbon 221-KGB

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS : LEE SPRAGUE ET AL.
SERIAL NO. : To Be Assigned
FILED : Herewith
FOR : PRODUCTION OF ALIPHATIC FLUOROCARBONS
ART UNIT : To Be Assigned
EXAMINER : To Be Assigned

January 11, 2002

Hon. Commissioner of Patents
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

SIR:

Pursuant to 37 CFR §§ 1.56, 1.97 and 1.98, Applicants respectfully request that the Examiner consider the references listed on the attached Form PTO-1449.

This information disclosure statement is being filed within three months of the filing date of the application, or within three months of entry into the national stage, or before the mailing of a first Office Action on the merits. Pursuant to 37 CFR § 1.97(b), consideration of this information disclosure statement does not require a fee or a statement under 37 CFR § 1.97(e). However, should the Commissioner determine that a fee is, in fact, due, the Commissioner is hereby authorized to charge the fee to Deposit Account No. 14-1263.

Copies of all references listed on the attached Form PTO-1449 are being supplied.

The non-patent reference listed on the attached Form PTO-1449 is discussed in the paragraph bridging pages 9-10 of the application.

This application is a PCT national stage application, and the patents listed on the attached Form PTO-1449 were cited in the international search report, and a copy of that search report, which indicates the degree of relevance found by the International Search Authority, is attached.

In the Written Opinion dated July 5, 2001, the Authorized Officer found claim 1 to be lacking novelty in view of Voigt et al., U.S. Patent No. 4,898,645. According to the Authorized Officer, "Voight et al disclose processes of preparing tetrafluoroethane (TFE) by pyrolysis of fluorocarbons, followed by separation of TFE and *recycling residual starting material* into the first step (see column 1, lines 11-45)." In response, Applicants point out that this does not anticipate instant claim 1. Instant claim 1 requires the recycle of "any *undesired* aliphatic fluorocarbon products". Certainly, a starting material does not meet this definition. There can be no confusion between a starting material and an undesired product and even more distinguishing is that these products are undesirable whereas starting materials are desirable in the chemical use sense.

The only thing Voigt et al has in common with instant claim 1 is that both items are recycled. Recycling is an ancient process step which is widely used for economic and ecological reasons. The essence of the pertinent portion of instant claim 1 is the recovery of otherwise

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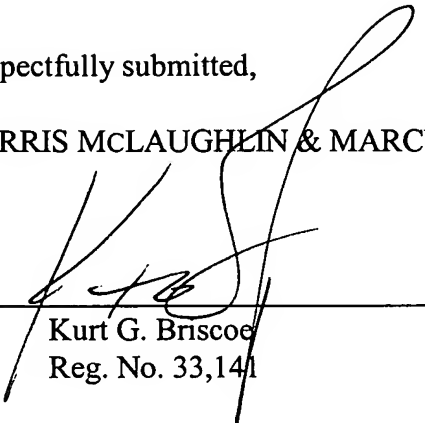
useless products in which recycling is a convenient pathway to achieve the goals of the present invention.

Consideration of the foregoing in relation to this application is respectfully requested.

Respectfully submitted,

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By


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